

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RADAMES MATOS, *et al.*,

Plaintiffs,

-against-

206 KINGSBRIDGE CLEANERS, INC., *et al.*,

Defendants.

20cv06308 (LTS) (DF)

ORDER

DEBRA FREEMAN, United States Magistrate Judge:

Currently before this Court is a motion by Peter Hans Cooper, Esq. (“Cooper”), of Cilenti & Cooper, PLLC, (“Cilenti & Cooper”) to withdraw as counsel of record for plaintiffs Radames Matos (“Matos”) and Daniel Batista (“Batista”) (collectively “Plaintiffs”) in this action. (Dkt. 28.) This Court having reviewed Cilenti & Cooper’s submissions on its motion, including a supporting Declaration by Cooper (Dkt. 29), it is hereby ORDERED as follows:

1. No later than October 4, 2021, Cilenti & Cooper is directed to serve a copy of its motion to withdraw, including all supporting papers, on both Plaintiffs, together with a copy of this Order, by means reasonably calculated to reach them, and to file proof of such service on the Docket of this action.

2. If Plaintiffs wish to be heard with respect to Cilenti & Cooper’s motion to withdraw as counsel, then, no later than October 18, 2021, Plaintiffs should submit their responses to the Court, with a copy to Cilenti & Cooper. If either Matos or Batista would like to *email* his response to the Court, then he should contact my Chambers at (212) 805-4650 and leave a voicemail message, asking for email instructions and providing a telephone number where he may be reached so that such instructions may be given to him. Alternatively, Plaintiffs may send their responses to my Chambers by regular mail, to the following address:

Hon. Debra Freeman, U.S. Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1660
New York, New York 10007

Plaintiffs' responses may be submitted *ex parte*; in other words, those responses need not be served on counsel for Defendants. This Court, in its discretion, will determine whether any responses it receives from Plaintiffs should be filed publicly or if such responses contain sensitive information that warrants their being placed under seal. If, by October 18, 2021, this court receives no objection to Cilenti & Cooper's motion from Plaintiffs, then this Court may proceed to grant the motion to withdraw as unopposed.

3. Regardless of whether it receives any objection to Cilenti & Cooper's request for leave to withdraw, **this Court will hold a telephonic conference on October 21, 2021 at 10:00 a.m.** with respect to that request. **Matos and Batista, as well as counsel, are directed to attend that telephone conference.** For that conference, the parties are directed to call the following Toll-Free Number: (877) 411-9748, and to use Access Code: 9612281.

4. Plaintiffs are cautioned that, if they opt to proceed in this Court *pro se* (meaning without an attorney), then they will be expected to keep the Court apprised of their contact information; to prosecute the action on a *pro se* basis; to respond, as may be directed by the Court, to any motion for summary judgment that may be filed by Defendants; to attend all pre-trial conferences scheduled by the Court; to cooperate fully in any making any necessary pre-trial submissions to the Court; to represent themselves at any trial of this action; to meet all deadlines set by the Court; and, as a general matter, to comply – on their own – with all rules and procedures of the Court. Plaintiffs' failure to provide their current contact information to the Court, or otherwise to participate in the litigation as required, may result in the entry of an order dismissing their claims for failure to prosecute.

5. If Plaintiffs choose to proceed in this action *pro se* and need assistance in understanding any of the procedural rules of this Court or any aspect of this Order, then they are encouraged to contact the Court's *Pro Se* Office. The telephone number for the *Pro Se* Office is (212) 805-0175.

6. If, at any time prior to October 21, 2021, Plaintiffs retain new counsel in this action, and a formal Substitution of Counsel is filed, then the October 21 conference will be canceled. Plaintiffs are cautioned, however, that the mere retention of new counsel will not generally entitle a litigant to reopen discovery, once closed.

Dated: New York, New York
September 27, 2021

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to:

All counsel (via ECF)